IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SECOND DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 3514 of 2005

Between:

G. Venkat Rao, S/o Subba Rao,
R/o D.No. 7-9, Prathipadu Village and Mandal,

Guntur District.

..... PETITIONER

AND

1 The Regional Manager, APSRTC, Guntur Region, Guntur.
2 The Personnel Officer, Office of the Regional Manager,

APSRTC, Guntur Region, Guntur.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction more particularly one in the nature of writ of mandamus declaring that the action of the respondents in declaring the petitioner as Unfit to the post of driver by saying that he is having with 0.5 cms (1/2 cm) shortfall for required height of 165 cm is not proper, bad arbitrary, illegal, discriminatory, unjust and unreasonable and also contrary to the certificate dated 15-2-2005 of the Medical officer/Civil Assistant Surgeon, Government General Hospital, Guntur and consequently direct the respondent to consider the petitioner for the appointment of Driver Grade II Post in APSRTC, Guntur Region and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.P.VENKATESWAR RAO

Counsel for the Respondents: MR.R.MANMADHA REDDY (SC FOR APSRTC)

The Court made the following :

ORDER:

The present writ petition is filed to declare the action of the respondents in declaring the petitioner as unfit to the post of driver stating that he is with 0.5 cms (1/2 cms) shortfall for required height of 165 cms as not proper and bad and also contrary to the certificate dated 15-02-2005 of the Medical Officer/Civil Assistant Surgeon, Government General Hospital, Guntur.

Heard learned counsel for the petitioner and learned Standing Counsel appearing for the respondents.

According to the learned counsel for the petitioner, the petitioner is possessing required height of 165 cms as per the certificate of Medical Officer/Civil Assistant Surgeon, Government General Hospital, Guntur, dated 15-02-2005, and therefore he prays to allow the writ petition.

Learned standing counsel appearing for the respondents contended that a Screening Committee is there to measure the height of the individuals, and according to it, if the petitioner possesses the required height of 165 cms, his case will be considered.

Therefore, without entering into the merits of the case, the writ petition is disposed of with a direction to the petitioner to appear before the said Screening Committee and thereafter, the Screening Committee shall take a decision in accordance with the rules and regulations.

The writ petition is accordingly disposed of. There shall be no order as to costs.

_____

02-03-2005

Note: Issue C.C today.

B/o.

vs

To

1 The Regional Manager, APSRTC, Guntur Region, Guntur.
2 The Personnel Officer, Office of the Regional Manager,

APSRTC, Guntur Region, Guntur.

3 2 CD copies

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Dated: 02-03-2005

VS